

REMARKS

Applicants respectfully request reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow.

The specification has been amended to correct minor typographical and grammatical errors. No new matter has been added.

No claims are currently being cancelled.

Claims 1, 6 and 8-11 are currently being amended. Please note that some, but not all, of the features of claim 10 have been added to presently pending claim 6.

Claims 13-20 are currently being added.

This amendment amends and adds claims in this application. A detailed listing of all claims that are, or were, in the application, irrespective of whether the claims remain under examination in the application, is presented, with an appropriate defined status identifier.

After amending the claims as set forth above, claims 1-20 are now pending in this application.

Applicant notes that claims 1-5 are withdrawn from consideration as being drawn to a non-elected method, whereby the Examiner did not group these claims with the elected claims 6-12 since "the method can be performed by an apparatus not requiring a gas window." Please note that claim 1 has been amended to require a gas window, and thus it is submitted that claims 1-5 should be examined with claims 6-20.

In the Office Action, claim 9 was objected to because "the sucking unit" did not have proper antecedent basis. Claim 9 has been amended to provide proper antecedent basis for "sucking unit."

In the Office Action, claims 6 and 10-12 were rejected under 35 U.S.C. § 103(a) as being unpatentable over JP 10-324973A to Morishige in view of JP 61-279690A to Ninomiya et al.; and claims 7-9 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Morishige in view of Ninomiya et al. and

further in view of U.S. Patent No. 4,628,531 to Okamoto et al. These rejections, to the extent that they may be applied to the presently pending claims, are traversed for at least the reasons given below.

The Office Action incorrectly asserts (in its rejection of claim 10, whereby those features have been added to claim 6) that Morishige's laser is configured to perform both vaporization and film forming. Rather, Morishige's system is merely directed to utilizing a laser CVD to correct white defects, whereby Morishige does not disclose or suggest that his system can be used to also correct black defects. Please note that Morishige's purge gas is used for correcting his white defects, and he does not utilize any laser for performing vaporization of black defect regions. The Office Action's statement that "the user of a second laser for performing vaporization is considered as art recognized equivalent capable of performing the same" is not pertinent to the claimed invention, since Morishige does not disclose, teach or suggest that black defects can be removed from his substrate by using a laser to vaporize those black defects.

Accordingly, since none of the other cited art of record makes up for the above-mentioned deficiencies of Morishige, presently pending claim 6 is patentable over the cited art of record.

Claims 7-12 are patentable due to their respective dependencies on base claim 6, as well as for the specific features recited in those claims.

New claims 13-20 have been added to recite additional features of the present invention that are believed to patentably distinguish over the cited art of record. For example, the features recited in some of these new claims are directed to specifics of the gas window, as seen for example in Figure 2 of the drawings. Such features are not disclosed, taught or suggested by Morishige's gas window.

Applicants believe that the present application is now in condition for allowance, and an early indication of allowance respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

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Date

Phillip J. Articola
Phillip J. Articola
Registration No. 38,819

FOLEY & LARDNER

Customer Number: 22428

Telephone: (202) 672-5300

Facsimile: (202) 672-5399